

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): RAMPAL et al.

Docket No.

RLL-170US

Serial No.

09/941,970

Filing Date

August 29, 2001

Examiner

Micah Paul Young

Group Art Unit

1615

Invention: CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF+

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Kim Campbell

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Kim Campbell

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**Docket No.  
RLL-170US

In Re Application Of:

RAMPAL et al.

Serial No.  
09/941,970Filing Date  
August 29, 2001Examiner  
Micah Paul YoungGroup Art Unit  
1615

Invention: CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

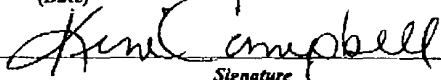
Dated: February 3, 2004

William Hare, Esq.  
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600 College Road East, Suite 2100  
Princeton, New Jersey 08540  
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Kim Campbell

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P28LARGE/REV03

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**RLL-170US**

In Re Application Of:  
**RAMPAL et al.**

Serial No.  
**09/941,970**

Filing Date  
**August 29, 2001**

Examiner  
**Micah Paul Young**

Group Art Unit  
**1615**

Invention: **CONTROLLED RELEASE FORMULATION OF ERYTHROMYCIN OR A DERIVATIVE THEREOF**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of August 19, 2003 in the above-identified application.  
*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated August 19, 2003 finally rejecting Claim(s)

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: November 19, 2003 until: February 19, 2004  
*Date Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$320.00

Fee for Extension of Time: \$930.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,250.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of \_\_\_\_\_ for the Notice of Appeal and extension of time is enclosed.

☒ Please charge Deposit Account No. 50-0912 in the amount of \$1,250.00  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0912  
A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0912 A duplicate copy of this sheet is enclosed.

P29LARGE/REV03